

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WALTER H. CRABTREE,

Plaintiff,

vs.

Civil Action 2:05-CV-838
Judge Graham
Magistrate Judge King

DIRECTOR REGINALD WILKINSON,
et al.,

Defendants.

ORDER

This is a civil rights action under 42 U.S.C. §1983 in which plaintiff, a state inmate, alleges that defendants' classification practices at the Warren Correctional Institution subject him to cruel and unusual punishment in violation of the Eighth and Fourteenth Amendments to the United States Constitution. On August 9, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that defendants' motion to dismiss be granted and that plaintiff's motion for sanctions under Rule 11 of the Federal Rules of Civil Procedure be denied. Although the parties were specifically advised of their right to file objections to the *Report and Recommendation*, there has nevertheless been no objections filed.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Defendants' motion to dismiss, Doc. No. 6, is **GRANTED**. Plaintiff's motion for sanctions, Doc. No. 9, is **DENIED**.

The defendants' motion to dismiss is **GRANTED**. **The Clerk shall enter FINAL JUDGMENT in this action.**

It is so ORDERED.

s/James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: September 6, 2006